



A MONTHLY JOURNAL  
FOR IOWA EDUCATORS

# School Leader Update

April 2014

## Graduation rate increases for third year in a row

For the third consecutive year, the state's graduation rate has increased, according to figures released by the Iowa Department of Education. At the same time, fewer students were dropping out of high school in Iowa.

Graduation rates for the class of 2013 increased for all but one subgroup of students. Of particular note are significant increases among students whose first language is not English (1.82 percent), Hispanic students (2.02 percent), and Native Americans (10.5 percent).

The statewide graduation rate is 89.68 percent, marking a three-year trend. That's an increase from 89.26 percent in 2012, and 88.32 percent in 2011.

Read more about this and view district-level information by clicking [here](#).



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## Optimistic about the future? You bet

Here are some eye-opening statistics:

- Did you know that 25 percent of the public school's third graders are not proficient in reading? That's 8,706 *children*.
- Or that a student who isn't a good reader by the end of third grade will find up to half of fourth grade *incomprehensible*?



So you can understand why our statewide emphasis in education is on third-grade literacy. That is thanks to the Legislature, which passed landmark legislation in the 2012 legislative session promoting the implementation of universal screening and progress-monitoring assessments to identify early on students who are at risk for reading failure. Once identified, students are provided with intensive evidence-based instruction and support. The legislation also requires that districts provide summer reading instruction for struggling readers.

It's not that Iowa wasn't doing a good job, but reading instruction and interventions were inconsistent throughout the state. And since the state's reading proficiency rates have flat-lined for a decade, it's clear we need to re-focus and improve our efforts.

So, what is being done to support this critical work? The answer to that question emerges in five interconnected ways:

First, we are establishing an early warning system to ensure our students from pre-kindergarten through the sixth grade are screened within weeks of starting school.

Schools are then able to provide targeted *and* individualized support to students and follow their progress over time. This is enhanced by incorporating a data system to help teachers make appropriate instructional decisions.

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## Teachlowa.gov grows by leaps and bounds

Teachlowa.gov, Iowa's job posting and recruitment system, has taken off this 2014 hiring season. Iowa's school leaders are more easily and efficiently finding candidates to fill positions in their locations. Job seekers are using the system to identify specific positions or pools of positions that might be of interest to them.

### Before offering a job to a candidate....

The Board of Educational Examiners highly recommends that districts verify Iowa licensure or the passing of the two Praxis II exams before offering a position to a new graduate.

Iowa requires passing test scores on the Praxis II exams before candidates are eligible for licensure for graduates after Jan. 1, 2013. New graduates must pass exams in pedagogy and content. No temporary or provisional licensure will be issued without passing test scores. The candidates must pass the approved chosen Iowa assessments using Iowa's cut scores. Testing requirements may be found at this link: [Iowa Test Scores](#).

Iowa graduates will not be recommended for licensure and out-of-state graduates cannot apply for licensure without passing test scores. If a candidate already has an Iowa teaching license, you can be assured that he or she has met the requirements.

For more information, contact the Board of Educational Examiners' Joanne Tubbs at [joanne.tubbs@iowa.gov](mailto:joanne.tubbs@iowa.gov).

More than 250 school personnel have attended trainings hosted by each of the Area Education Agencies across the state. Participants were led through a demonstration of basic account set up and job posting steps as well as some of the more advanced features of the system.. By the numbers:

- 793: the number of job postings from Jan. 1 through March 21.
- 53: the largest number of jobs posted in one day
- 376: average number of new applicants each week since Jan. 1.
- 65: the largest number of applications submitted in one day

If you have questions about Teachlowa.gov, contact the Department's Marietta Rives at [marietta.rives@iowa.gov](mailto:marietta.rives@iowa.gov) or 515-281-6038.

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Second, although the early warning system provides educators with information to identify students in need of additional support, it does not provide information about evidence-based interventions that would support a student to become proficient. Collaborating for Iowa's Kids, also known as C4K, and the Iowa Reading Research Center have established a structure and timeline to identify those evidence-based interventions from which schools may select to implement at the classroom, group or individual student level. These will be posted on the Iowa Department of Education website by this fall.

Third, the creation of C4K brings together members from the Area Education Agencies and the Iowa Department of Education. This group works to ensure the full educational system is working in partnership to align staff, funding and resources on new literacy programs that are evidence-based.

Fourth, we have established a strong collaborative coach network that provides training and professional learning for Iowa's teachers and administrators to ensure our children are successful. This network ensures our teachers use data and evidence-based strategies.

And finally, we are working with the Iowa Reading Research Center, which is charged with providing parents and teachers evidence-based information to improve literacy and implementing summer reading programs for kids who are not reading proficiently by the end of 3<sup>rd</sup> grade.

To be sure, it is a challenging – and exhilarating – time to be in education. These combined efforts will help lead our state to again have world-class school rooms from border to border, preparing our students for college and careers. Needless to say, I'm very optimistic about our future. Thank you for all you do to help our students succeed.

## How Iowa's students can qualify for a Regent institution

The Iowa Board of Regents and the Iowa Department of Education have partnered to provide each Iowa high school with a list of courses that count toward the Regent Admission Index (RAI).

Responding to feedback from high schools, the Board of Regents has worked to create clear and concise lists of RAI-approved core courses that make up part of the RAI formula:

$$(2 \times \text{ACT composite score}) + \\ (1 \times \text{high school rank}) + \\ (20 \times \text{high school GPA}) + \\ (5 \times \text{number of RAI-approved core courses}) = \text{RAI Score}$$

Students who have completed the minimum number of required high school courses and have an RAI score of 245 or higher qualify for automatic admission to the University of Northern Iowa, Iowa State University, and the University of Iowa.

The intent of the RAI lists is to improve the transparency of the process and help students, parents, and high school personnel make informed decisions about student course selection. The lists are sent to Iowa public high school and private high schools that report course data to the Iowa Department of Education's Student Records in Iowa. New lists are distributed each August.

For more information, including an RAI calculator, visit <http://www.regents.iowa.gov/RAI/index.html>, or contact Jason Pontius, academic program officer for the Board of Regents, at 515-281-3331 or [jpontius@iastate.edu](mailto:jpontius@iastate.edu).



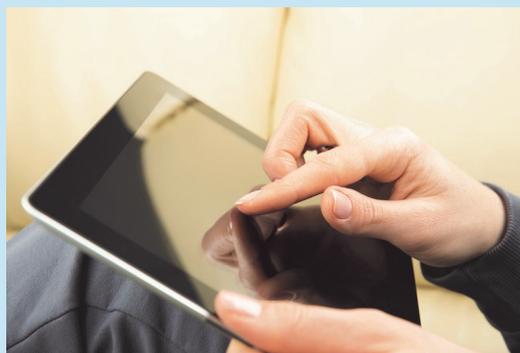
## Iowa Learning Online is expanding this fall

The Iowa Learning Online (ILO) program will expand to include providing access to a full curriculum; allowing it to serve in an "offer and teach" capacity for a school district while the district continues to actively recruit a teacher for a vacant position; and expanding capacity to begin serving any accredited public, accredited non-public, or dually enrolled home school student who wishes to participate.

Originally launched in 2004, ILO is designed as a supplementary program to help Iowa's school districts and schools expand learning opportunities for their students. Students participate in ILO courses while continuing to attend high school in their current district of residence.

School districts and schools enroll their students and award credit on the students' transcripts, upon successful completion of the ILO course. For more information on the program, visit [www.iowalearningonline.org](http://www.iowalearningonline.org).

Also note that ILO is currently accepting resumes for part-time online teaching positions for grades 9-12 in all curriculum areas. Applicants must have an appropriate and valid Iowa teaching license. Please e-mail your resume and a short statement of interest to Angi Hillers, ILO Registrar, at [angi.hillers@iowa.gov](mailto:angi.hillers@iowa.gov) or call 515-281-4714.



# \$30,000 to high schools in Financial Literacy Challenge

Thirty Iowa high schools were each awarded \$1,000 through their participation in the 2013-2014 Iowa Financial Know-How Challenge. Students at 83 Iowa high schools completed the Edanalysis financial literacy assessment test to qualify their schools for the random cash drawing.

For the past three years, Iowa Student Loan, the Iowa Department of Education, the Iowa Jump\$tart Coalition, Junior Achievement of Central Iowa and the Iowa College Access Network have sponsored the program, whose cash awards are intended to benefit the schools' financial literacy programs and scholarship fund.



## The winning schools are:

School Name	City	School Name	City
Alburnett High School	Alburnett	Lynnville-Sully High School	Sully
Ankeny High School	Ankeny	MFL MarMac High School	Monona
Bellevue High School	Bellevue	Mid-Prairie High School	Wellman
Camanche High School	Camanche	North Butler High School	Greene
Central Springs High School	Manly	North-Linn Senior High School	Troy Mills
Clayton Ridge High School	Guttenberg	Perry High School	Perry
Colfax-Mingo High School	Colfax	Pleasant Valley High School	Bettendorf
Columbus Catholic High School	Waterloo	River Valley Senior High School	Correctionville
Eagle Grove High School	Eagle Grove	Rock Valley Senior High School	Rock Valley
Fairfield High School	Fairfield	Roosevelt High School	Des Moines
Fort Dodge High School	Fort Dodge	Seymour High School	Seymour
Humboldt High School	Humboldt	Sioux Central High School	Sioux Rapids
Independence Senior High School	Independence	West Bend-Mallard High School	West Bend
Iowa Mennonite School	Kalona	West High School	Sioux City
Kingsley-Pierson High School	Kingsley	West Liberty High School	West Liberty

## Register for April 23-24 learning supports conference

The Department of Education is hosting a two-day Learning Supports Conference on April 23 and 24 in Des Moines, including workshop strands addressing bullying, mental health and Positive Behavior Intervention and Supports (PBIS).

The conference is being held at two venues, the Iowa Events Center and the Holiday Inn Airport. There is no cost for admission to the workshops, but space is limited. While some of the workshop strands are by invitation only, the open workshop strands include:



Venue A at the Iowa Events Center will host an in-depth training for intake and investigation of bullying workshop. For additional information and to register: <http://ow.ly/urlGj>.

Venue B the Airport Holiday Inn will host workshop strands on PBIS and mental health. For detailed information and to register: <http://pbis-mentalhealthsconf.eventbrite.com>

## Social studies June 24-25 institution registration under way

The Iowa Department of Education, in collaboration with the State Historical Museum of Iowa and other related professional development organizations, will be offering a two-day social studies institute June 24-25 in Des Moines.

The institute will focus on best practices in the content and pedagogy of teaching social studies around the Iowa Core. Curricular partners such as Echoes and Reflections, the St. Louis Federal Reserve, the Hoover Library, the Geographic Alliance of Iowa and many more will be offering sessions. The institute is entirely free for any K-12 social studies teacher. License renewal credit also will be available.



Teachers may register by going to <https://docs.google.com/forms/d/1PBIL-GasCsU6kYjHITU28VyXPw-qg6qs2pulVIUaWrw/viewform>.

The conference at a glance schedule can be seen by going to <https://docs.google.com/spreadsheet/ccc?key=0AlpF6W3Zxix1dE1pTGI4eTR0ekdDeHg0bHgyMWprVUE&usp=sharing>. For more information, contact the Department's social studies consultant Stefanie Wager at [stefanie.wager@iowa.gov](mailto:stefanie.wager@iowa.gov).

## Iowa Youth Survey is open

Registration for the 2014 Iowa Youth Survey is now open. The registration site includes necessary information, including the "Agreement to Participate" and "AEA Data Release" forms. These forms must be signed electronically but can be saved or printed directly from the system. Use the following link to register: [https://entry.subst-abuse.uiowa.edu/IYS\\_Registration/Pick\\_SchoolDistrict.jsp](https://entry.subst-abuse.uiowa.edu/IYS_Registration/Pick_SchoolDistrict.jsp)

Questions about the registration system should be directed to Amy Mason at [amy-mason@uiowa.edu](mailto:amy-mason@uiowa.edu). Questions about the survey in general should be directed to Pat McGovern at [pat.mcgovern@idph.iowa.gov](mailto:pat.mcgovern@idph.iowa.gov).

## Data and Reporting

### Career-path tool wraps up first cohort

A planning tool that has equipped Iowa students to learn about themselves, explore career paths and educational options is showing results. I Have A Plan Iowa® is the state-designated career information system. Users can complete interest, skill and value assessments; create course plans; explore career options; investigate education opportunities; prepare for the ACT, SAT, and GRE; and research financial aid for college.

Completion rates have been released for the first cohort of students which shows five years of career and educational plans. Iowa Code Section 279.61 specifies that, starting with the 2008-09 school year, all Iowa students create plans. Students develop electronic portfolios during eighth grade and continue to build on them at least annually throughout high school.

I Have A Plan Iowa® incorporates the required student curriculum plan components into grade-specific Guideways to help students and districts in completing the components.

Building and grade-level completion results are available by selecting your district number <https://www.educateiowa.gov/career-planning>. Technical assistance is available by contacting Iowa College Aid at 877-272-4456 or [info@iowacollegeaid.gov](mailto:info@iowacollegeaid.gov) or Amy Vybiral at [Amy.Vybiral@iowa.gov](mailto:Amy.Vybiral@iowa.gov).



### Changes in AYP alternate assessments

Beginning this fall, Iowa's Adequate Yearly Progress alternate assessments for students with significant cognitive disabilities will be the Dynamic Learning Maps (DLM) English/language arts and math for grades 3-8, 10 & 11 and the Iowa Alternate Assessment Science (IAAS) for grades 5, 8, and 11.

The DLM assessment is supported by the Center for Educational Testing and Evaluation, University of Kansas, and is a computer-delivered, computer-adapted assessment. DLM integrates student assistive technology and is a year-long instructionally embedded assessment that includes a year-end summative assessment. The IAAS (Iowa's current science alternate assessment) will have no changes in assessment administration. Teacher training is required to administer both the DLM and IAAS assessments. District staff who manage and have oversight of the alternate assessment also will require training. The Significant Disabilities State Leadership Team is developing a fall state-wide training plan.

The Iowa Department of Education will host a series of informational webinars in May that outline training content and requirements, roles and responsibilities of districts, including tech support, and DLM/Department supports. For more information, contact the Department's Emily Thatcher at [emily.thatcher@iowa.gov](mailto:emily.thatcher@iowa.gov) or 515-281-3500.



## Data and Reporting continued

### Spring Reporting Training

This year, spring training on Adequate Yearly Progress (AYP), spring Basic Educational Data Survey (BEDS) and Student Reporting in Iowa (SRI) will be web-based with a number of different presentations offered on various days during April and May. No registration is required. A final schedule of all sessions with session descriptions will be posted on the [BEDS](#) and [SRI](#) web-sites.

The following topics will be presented on the following dates: April 15, April 17, April 21, April 24 and April 30:

1. Iowa Transcript Center: end-of-year requirement for public high schools
2. Regents Admissions Index (RAI) update
3. Student Locator Framework (SLF): updating all student records through Schools Interoperability Framework (SIF)
4. Postsecondary Enrollment Options (PSEO) and Concurrent Enrollment Courses: differences, similarities, and the Iowa Code
5. Course Coding: Release of new School Codes for the Exchange of Data (SCED) codes for career and tech high school courses
6. Preschool and Kindergarten: reporting requirements and funding for 2014-2015

In May, the following topics will be presented on various dates and times during the period May 1 through May 9:

7. AYP Application: explanation of the data sources and review of the application
8. Spring BEDS: hours versus days and Instructional minutes reporting
9. Spring BEDS: principal and staff evaluations
10. Spring BEDS: review of all remaining reports
11. Civil Rights Collection 2013-2014: a collection requirement for all public schools and districts
12. End-of-Year SRI Reporting: graduates, attendance, removals, foster care, exits, PSEO courses, and more
13. Summer Applications: AYP, foster care claim, graduation verification, and non-fall supplementary weighting
14. 2014-2015 SRI Reporting: preview into data element changes for the next school year
15. AYP Field Testing Districts: impact of field testing on AYP results

### Upcoming spring 2014 dates to remember

April 17	Spring Student Reporting in Iowa test site opens/AYP preview site opens
May 5	Spring BEDS reporting opens
May 8	Spring Student Reporting in Iowa test site opens/AYP preview site closes
May 14	Spring Student Reporting in Iowa site opens / AYP site opens
June 13	Spring BEDS certification deadline
June 18	Spring Student Reporting in Iowa certification deadline
June 19	AYP initial certification deadline

## Early literacy implementation training

If your district is planning to use state-purchased universal screening and progress monitoring assessments for students in kindergarten through third grade, registration will open mid-April. Superintendents will receive an email when training specifics are finalized.

The state-purchased universal screening and progress monitoring assessments are at no cost to your district, should you decide to use this option. The Iowa Department of Education, in conjunction with Collaborating for Iowa's Kids, will provide training and technology support for any district that wants it. This includes:

1. Access to Iowa TIER, Iowa's data system to support administration, scoring, and collection of universal screening and progress monitoring data;
2. Access, through Iowa TIER, to the Formative Assessment System for Teachers, an approved universal screening and monitoring package; and
3. Related training and technical support.

The assessments are part of literacy legislation that includes universal screening for students in kindergarten through third grade and progress monitoring for students who exhibit a substantial deficiency in reading. Complete information related to the requirements can be found at the department's [site](#).



## Early Childhood Preschool Programs

### State agency offers financial support for quality child care

The Iowa Department of Human Services (DHS) is issuing a Request for Proposal (RFP) to solicit bidders for a wrap-around child-care program.

Oftentimes, children attending early childhood programs experience many transitions. This opportunity will help provide a child-care experience that is stable, predictable, reliable and exceptional.

Programs that are eligible for funds are Head Start, Early Head Start, Shared Visions, Title I Preschool Programs, and Early Childhood Special Education Programs.

Funds will be awarded to entities administering child-care programs that provide Continuity of Services to children who are attending Eligible Core Programs. The RFP is located at [http://bidopportunities.iowa.gov/index.php?pgname=viewrfp&rfp\\_id=9946](http://bidopportunities.iowa.gov/index.php?pgname=viewrfp&rfp_id=9946).



For more information, contact Michelle Muir, Department of Human Services at 515-281-8785 or [mmuir@dhs.state.ia.us](mailto:mmuir@dhs.state.ia.us).

## Nutrition and Health Services

### School wellness policy requirements and resources

If you were unable to watch wellness webinars held earlier this year, here's a chance to see them.

In January, a webinar was held to share information about the school wellness policy requirements that are required of Iowa schools and what to expect during a state review. Updates on the Iowa Healthy Kids Act and the USDA's Smart Snacks were part of the webinar. To view the recording and the handouts from the webinar, [click here](#).

In February, regional workshops were held in February for school wellness teams to learn more about the updated school wellness policy requirements that are a part of the Healthy, Hunger-Free Kids Act and resources to help them implement their policies at the local level. To view the slides, handouts, and resources from the workshops, [click here](#). For more information, contact Carrie Scheidel at [carrie.scheidel@iowa.gov](mailto:carrie.scheidel@iowa.gov).



Saydel School Wellness Committee attended the Des Moines workshop.

### A chance to comment on new rules aimed at nutrition staff

The Food and Nutrition Service released a proposed rule concerning professional standards in hiring school nutrition program directors and managers to operate the National School Lunch and Breakfast Programs. The standards will go into effect July 1, 2015. Also included are minimum training levels for all school nutrition staff.

To review the Proposed Rule for Professional Standards, go to <http://www.fns.usda.gov/sites/default/files/CN2014-0130.pdf>. If you want to submit written comments on this proposed rule, go to [www.regulations.gov](http://www.regulations.gov) and complete them by April 7.

The USDA's Professional Standards videos are available for viewing at <http://search.usa.gov/search/news/videos?affiliate=usda-fns&m=false&query=professional+standards>.





## Legislative Update

Contact Mike Cormack for all legislative items: [mike.cormack@iowa.gov](mailto:mike.cormack@iowa.gov) or 515-281-3399.

### Cormack at the Capitol

### Will the Legislature end on a high note?

We are celebrating the 20<sup>th</sup> anniversary of one of the great institutions of modern music, Drew's Famous. If you haven't heard of Drew's Famous, it is an almost endless supply of albums covering every major type of music ever produced. They sell their music online and in party stores. A recent visit to their website had some interesting party mixes that had been put together, including Nifty at Fifty, Sporty At Forty, Fiesta, Luau, and 57 Greatest Kids Songs.

If you have heard of Drew's Famous (or even better, listened to one of the albums), you will smile knowingly that none of the songs are actually sung by the original artists, the volume from song to song varies greatly, the use of synthesizers is extensive and often, the studio musicians seem to (let's be charitable) not quite grasp the original sound of the song.

As with any legislative session, the dozens of proposed bills range from Grammy worthy on the high end to Drew's Famous on the low end. By the end of the process, it is surprising to me after 11 sessions of either serving as a legislator or in this role how often the legislative process gets it right. As the Legislature looks to conclude early, many ideas are being pushed to the wayside, and the focus turns to larger ideas of the session and the budget.

To the credit of the Legislature, budget targets were recently agreed to. That means that the size of the state budget (and each individual budget item like education or justice systems) has been agreed to, which is a major step toward final agreement on each budget bill. They are simply discussing *what* to fund, not how much to fund.

The educational appropriations bill does not fund supplemental state aid (formerly known as allowable growth). But, it funds many important educational systems in our state such as the Regents institutions, Community Colleges, the Reading Research Center, and many other educational entities in state government.

One item that we are tremendously concerned about in the educational appropriations bill is the lack of funding for an early warning assessment system. The original Senate legislation, which is just the first step in the process, does not fund that item. An early warning assessment provides the best of modern technology to screen young readers and to help them receive the assistance that they need. The vast majority of Iowa schools have indicated that they are seriously considering this option. We had proposed paying for this on the state level and providing it free to Iowa schools. We are doing everything in our power to let the legislators know that this is an item worth funding.



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## Legislative Update continued

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Again, we are grateful for the overall good job that legislators have done. I am hopeful and optimistic that the final version of this bill can include money for this important measure. I would recommend as a leader in education in this state that you examine the bill as it moves forward and deliberate the qualities you like or dislike in it.

Non-budgetary items left to consider this year include legislation to promote the expansion of broadband internet in our state, educational incentives and licensing changes for veterans who are leaving their service to reside in Iowa, and anti-bullying and anti-harassment legislation.

In the coming days, I will be monitoring the legislation. As always, feel free to contact me if you have questions or comments on any legislative matters. I had many kind comments after the column last month and am so appreciative for that. Good luck as you enter the last few months of your school year.

I will leave you by admitting I had to cringe a bit when I saw one title on the Drew's Famous website was "Over The Hill at 40," but at least when they're insulting me with their album title, I know there will be music behind the cover that will amuse me nonetheless. Happy anniversary to Drew's Famous and may they have 20 more years of entertaining the world.





## Legal Lessons

Contact Nicole Proesch for all Legal Lessons items: [nicole.proesch@iowa.gov](mailto:nicole.proesch@iowa.gov) or 515-281-8661

# Pondering a primer on prom, privacy, and policies

### April showers . . .

As I sit here and write this article, it is 54°F degrees outside. The sun is out and I wish I were outside enjoying it. The weather for tomorrow (another work day) is predicted to be even nicer... but who knows what to expect by week's end. Will this winter ever end? I sincerely hope this April will bring showers, sunshine, and anything but snow. My son is ready to get outside, play in the mud puddles, and drive his kid four-wheeler around in the back yard destroying my lawn. I can just picture it now: my 6-year-old daughter running around the yard, screaming, while being chased by her 3-year-old brother on a four-wheeler. Of course, the minute he gets off, it will be her turn to hop on and chase him. My daughter is looking forward to playing in her fort, long bike rides where she is "the leader," and planting flowers. I am looking forward to the opportunity for my kids to run off energy – outside. At any rate, we are all just excited to open the windows and breathe in some fresh air.

In preparation for spring and all the activities that come with it, including spring sports, other extracurricular activities, and of course who could forget prom, I have several important things to share with you. First, it's time to revisit the Four Ds of prom protocol. Then, a friendly reminder to schools to be careful when crafting your good conduct polices. Finally, there is an update on teachiowa.gov postings and some new guidance from the U.S. Department of Education on student privacy and third party online resources.

### PROM

#### The four "Ds" of prom protocol: Dates, dress, decorum, drug (testing)

It's that time of year again to revisit the four "Ds" of prom. I realize we revisit this every year but these are important so here we go again.

**Dates.** Iowa's civil rights law extends protection to students on the basis of sexual orientation and gender identity in the classroom as well as in all activities offered by a school, both public and nonpublic. This includes prom (and all school dances). Therefore, same-sex couples may attend prom as a couple if they are otherwise eligible to attend prom. However, a school may limit prom attendees to current students of the school or recent graduates of the school.

**Dress.** While a school cannot insist that students wear traditionally female or male attire (i.e., girls do not have to wear dresses and boys do not have to wear tuxedos), schools may lawfully have a dress code if enforced even-handedly. The types of rules that will be allowable include such rules as "no exposed navels, no exposed nipples, no exposed derrieres, no clothes with obscenities printed on them." In other words, the usual regulations are acceptable. But a boy may wear a dress to prom if the dress would be acceptable on a girl, and a girl may wear acceptable "male" prom-wear. What a kid wears does not have to be related to sexual orientation or gender identity.

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*However, a bona fide religious school may impose "qualifications based on religion, sexual orientation, or gender identity when such qualifications are related to a bona fide religious purpose." Iowa Code section 216.9.*

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## Legal Lessons continued

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**Decorum.** The key here is evenhandedness. Whatever reasonable rules of conduct and decorum a school has must be enforced evenly and consistently. If PDAs (public displays of affection) are not tolerated, then make sure that staff breaks up kissing between straight couples as well as same-sex couples.

**Drug testing.** Drug testing is regulated by the Iowa Student Search and Seizure Law, Iowa Code chapter 808A. School officials may test a student only upon suspicion that the student is under the influence. Period. There are no exceptions that permit a school to conduct (or to ask law enforcement to conduct) drug testing on a suspicionless basis. Here's the kicker: Because the law is so clear on this point, school officials that continue to violate the law will be told by insurance company EMC that it will not provide any protection to a school when the inevitable lawsuit is filed.

### **Good Conduct Policies - Appeals**

Here is recent good conduct appeal where the State Board of Education recently ruled in favor of the student. This case is a reminder to school boards to be careful about the specific language used in your good conduct policies. Here is a summary of the facts of this case:

#### ***In Re: T.B., 26 D.o.E. App. Dec. 483 (March 6, 2014)***

In re T.B. involved a student, T.B., who was a member of the local high school cross country team that attended the Iowa State Cross Country championships in November of 2013. T.B. and several team members who attended the championships stayed in a motel overnight. While staying at the motel an incident occurred involving paintballs and damage to one of the motel rooms. Several students were interviewed by the coach and admitted their involvement in the incident. T.B. was not interviewed or implicated in the behavior resulting in damages. T.B. was, however, present in the motel room when the damages occurred. The athletic director later interviewed T.B. and T.B. denied any involvement in the incident.

Subsequently, T.B. was suspended for 30 days for a violation of the school's good conduct policy on the rationale that T.B. committed "exceedingly inappropriate or offensive conduct" under the policy because T.B. did not report the incident to his coach or motel management. The district broadly construed this rule to include a requirement to inform on team members who violate the good conduct policy. However, nothing in this rule provided notice to a student that they are required to do so. The State Board found that it would broadly construe the good conduct policy; however, the board could not find that the policy encompassed T.B.'s conduct. Thus, the State Board reversed the decision of the local board and ordered the student's record to be stripped of the violation.

The lesson here for school districts is that your good conduct rules should clearly state the behavior that is prohibited so that a reasonable high school student or the parents reading the rules understands what is prohibited.

For the full decision, click on the following link:

*In Re: T.B., 26 D.o.E. App. Dec. 483 (March 6, 2014)* <https://www.educateiowa.gov/sites/files/ed/documents/Book%2026%20Decision%20483.pdf>

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## Legal Lessons continued

*Continued from page 13*

### **Teachiowa.gov postings**

In 2013, the Iowa Legislature created a statewide online job posting system called teachiowa.gov. The purpose of teachiowa.gov is twofold: 1) To be a one-stop shop for educators to look and apply for jobs in Iowa; and 2) to allow the state to have better data for tracking teacher shortages or high-need positions.

The statute (Iowa Code § 256.27(2)) requires school districts, charter schools, or area education agencies submit all of its job openings to the department for posting on the teachiowa.gov system. The Department interprets all job openings to mean just that – all openings. This includes those items that are posted as internal openings only. A good rule of thumb is if your local contract requires the opening to be posted either internally or externally, then it should be posted on teachiowa.gov. By posting all openings both internally and externally, the Department receives more complete information and data on teacher openings and high-need positions. Teach Iowa does have the capability to allow districts to designate postings as internal and external postings and to turn off the “apply” button on specific postings. For further technical questions on the capabilities of teachiowa.gov, contact Marietta Rives at [marietta.rives@iowa.gov](mailto:marietta.rives@iowa.gov). If you have any legal questions about posting jobs on teachiowa.gov, contact me at 515-281-8661 or [nicole.proesch@iowa.gov](mailto:nicole.proesch@iowa.gov).

### **USDE Student Privacy Guidance for Software, Mobile Apps, & Web-based Tools**

On February 27, 2014, the U.S. Department of Education, through the Privacy Technical Assistance Center (PTAC), issued new guidance on the proper use, storage, and security of data being generated by third-party providers of online educational resources. The guidance addresses privacy and security considerations relating to computer software, mobile phone apps, and web-based tools provided by a third party to a school or district that students and/or their parents' access via the internet and use as part of a school. The guidelines provide recommended best practices to schools but are not binding and contain no new legal regulations.

For the full guidance document, click on the following link:

<http://ptac.ed.gov/sites/default/files/Student%20Privacy%20and%20Online%20Educational%20Services%20%28February%202014%29.pdf>

To learn more information about data privacy, confidentiality and security practices related to student data, go to the PTAC website at <http://ptac.ed.gov/>.

### **School Safety Corner**

The Iowa School Safety Coalition now has all safety bulletins posted on their website. Refer to <http://www.iowaschoolsafety.org/> for more information on what you can do to protect your students.

Students with Disabilities

For questions regarding students with disabilities, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

## Special ed. teacher readies her students for life beyond school

If it were up to Melinda Collins, all of her students would leave school ready to pursue a career or college. Thankfully for her students, it is up to Collins.

Collins, a special education teacher at Des Moines' Ruby Van Meter, had an idea a few years back to give her students real-life work experience. It evolved into Plymouth Grounds, a full-scale coffee shop located in a tony part of Des Moines.

Read how Collins made her vision come true by reading April's [Each and Every Child](#).



**Alexandra Boucher whips up a latte for a customer at Plymouth Grounds, a career launching pad for some special needs students in Des Moines.**

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[www.educateiowa.gov](http://www.educateiowa.gov)

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